

Message Text

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ORIGIN COME-00

INFO OCT-01 CIAE-00 DODE-00 EB-07 NRC-05 NSAE-00 USIA-06
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TO AMEMBASSY VIENNA
INFO USMISSION OECD PARIS

C O N F I D E N T I A L STATE 302888

EXCON

E.O. 11652:XGDS-1

TAGS:ESTC, COCOM, AU

SUBJECT: EXPORT LICENSING PROCEDURE

REF: VIENNA 9723

1) IN ANSWER TO EMBASSY'S QUERY REFTEL, (A) FIRMS MUST
APPLY FOR REEXPORT LICENSE TO U.S. DEPARTMENT OF COMMERCE
FOR ALL U.S. ORIGIN EQUIPMENT REQUIRING VALIDATED LICENSE
FOR EXPORT FROM U.S. TO FINAL DESTINATION, AND (B) PRODUCTS
INCORPORATING U.S. PARTS AND COMPONENTS OR TECHNOLOGY ALSO
REQUIRE AUTHORIZATION FROM COMMERCE IN CIRCUMSTANCES WHERE
THOSE PRODUCTS WOULD REQUIRE U.S. VALIDATED LICENSE WERE
THEY ENTIRELY OF U.S. ORIGIN.

2) THUS IF UNIVAC WISHED TO EXPORT U.S. ORIGIN CENTRAL
PROCESSING UNIT (OR CPU INCORPORATING U.S. ORIGIN PARTS AND
COMPONENTS) FROM AUSTRIA TO HUNGARY, UNIVAC WOULD HAVE TO
APPLY FOR LICENSE AUTHORIZATION FROM COMMERCE. THE SAME
WOULD HOLD FOR EXPORT OF COMPUTER PERIPHERAL UNIT FROM
AUSTRIA TO HUNGARY EVEN IF CPU WERE TO BE EXPORTED DIRECTLY
FROM U.S. (NORMALLY FIRM WOULD SUBMIT CONSOLIDATED APPLI-
CATION FOR ENTIRE COMPUTER SYSTEM IN INSTANCES WHERE CPU,
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PERIPHERALS, AND ACCESSORIES TO THE SYSTEM WERE TO BE EX-

PORTED TO FINAL DESTINATION FROM SEVERAL DIFFERENT COUNTRIES.)

UNIVAC WOULD ALSO, OF COURSE, REQUIRE WHATEVER LICENSE
AUTHORIZATIONS REQUIRED UNDER AUSTRIAN LAW.

3) IF UNIVAC IS REFERRING TO RESPONSIBILITY FOR SPONSORING
EXCEPTIONS REQUEST TO COCOM, IT HAS LONG BEEN COCOM POLICY
THAT COUNTRY FROM WHICH CPU TO BE EXPORTED RESPONSIBLE FOR
SUBMITTING CASE FOR ENTIRE COMPUTER SYSTEM TO COCOM
(ALTHOUGH THE U.S. HAS ASSUMED THIS ROLE IN A FEW SPECIFIC
CASES RE U.S. FIRMS -- UNIVAC BEING ONE-- WHERE HARDSHIP
FACTORS ARE INVOLVED). IF, OF COURSE, EXPORT OF CPU IS
TO BE MADE FROM NON-COCOM PARTICIPANT SUCH AS AUSTRIA, U.S.
ASSUMES RESPONSIBILITY FOR PRESENTATION OF SUCH PROPOSALS
TO COCOM.

4) IF, HOWEVER, FOR EXAMPLE, UNIVAC-AUSTRIA WISHED TO
EXPORT A COMPUTER PERIPHERAL REQUIRING U.S. REEXPORT
AUTHORIZATION AS PART OF A COMPUTER SYSTEM WHOSE CPU WAS
BEING EXPORTED FROM WEST GERMANY TO THE USSR, THE WEST
GERMANS WOULD BE RESPONSIBLE FOR OBTAINING COCOM CLEARANCE
FOR THE WHOLE SYSTEM BUT UNIVAC-AUSTRIA WOULD REQUIRE U.S.
REEXPORT AUTHORIZATION FOR THAT U.S.-ORIGIN PERIPHERAL.
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